REMARKS/ARGUMENTS

With the present Amendment, claims 1, 4, 5, 9-12, 15, 19, 20 and 86-88 are pending in this application. Claims 2 and 80-85 are canceled herein without prejudice or disclaimer. Applicants reserve the right to file one or more application(s) towards any canceled subject matter.

Claim Rejections - 35 USC §112, 1st paragraph

Enablement

The Action has rejected claims 2 and 80-85 under 35 U.S.C. §112, first paragraph for allegedly failing to comply with the enablement requirement.

As amended herein, claims 2 and 80-85 are canceled which renders the rejection of these claims moot.

Written Description

The Action has rejected claims 80-85 under 35 U.S.C. §112, first paragraph for allegedly failing to comply with the enablement requirement.

As amended herein, claims 80-85 are canceled which renders the rejection of these claims moot.

Applicants respectfully request reconsideration and removal of these rejections.

Double Patenting

The Action has rejected claim 1 as allegedly being unpatentable over claim 4 of U.S. Patent No. 6,852,318 under the judicially created doctrine of obviousness-type double patenting. The Action has also rejected claims 4, 5, 9-12, 15, 19, 20 and 80-88 as allegedly being unpatentable over claims 1 and 4-12 of the '318 patent.

In response, attached with this Amendment is a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321 (c) which overcomes these rejections. Applicants respectfully request reconsideration and removal of these rejections.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,

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Attachments
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